## **REMARKS**

The present application is a divisional of Application No. 09/301,458 and Claims 2, 5 and 9-12 are presented for examination. In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Bv:

Peter K. Skiff Registration No. 31,917

P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620 Date: October 12, 2001

Application No. Not Yet Assigned Attorney's Docket No. 001560-406

## Mark-Up Copy of Claim 5

5. (Amended) A hydrogen-absorbing alloy according to claim 2 [or 3], wherein the heat-treatment comprises solution treatment conducted for 1 min to 100 hr at a temperature range of from 700 to 1500°C, and one or both treatments selected from quenching and aging of from 350 to 1200°C after solution treatment.